

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WILLIAM DIGIANNI,

Plaintiff,

-against-

ORRICK, HERRINGTON & SUTCLIFFE, LLP;  
IRA ROSENSTEIN; LIPMAN & PLESUR, LLP;  
and ROBERT LIPMAN,

Defendants.  
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JUDGMENT  
09-CV- 3653 (RRM)

A Memorandum and Order of Honorable Roslynn R. Mauskopf, United States District Judge, having been filed on September 16, 2009, dismissing plaintiff's complaint as frivolous; warning plaintiff that the Court will not tolerate frivolous litigation; ordering that if plaintiff persists in filing frivolous and/or malicious actions, the Court may enter an order barring the acceptance of any future complaints for filing without first obtaining leave of the Court to do so; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's Memorandum and Order would not be taken in good faith; and denying *in forma pauperis* status for purpose of an appeal; it is

ORDERED and ADJUDGED that plaintiff's complaint is dismissed as frivolous; that the Court warns plaintiff that it will not tolerate frivolous litigation; that if plaintiff persists in filing frivolous and/or malicious actions, the Court may enter an order barring the acceptance of any future complaints for filing without first obtaining leave of the Court to do so; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from the Court's Memorandum and Order would not be taken in good faith; and that *in forma pauperis* status is denied for purpose of an appeal.

Dated: Brooklyn, New York  
September 16, 2009

ROBERT C. HEINEMANN  
Clerk of Court

By *Terry Vaughn*  
Chief Deputy.